

Compilation by 2016 Documents Advisory Committee of BY-LAWS OF  
HOLLY LAKE ASSOCIATION, INC., Uniting Restated 2006 and 2010  
Recorded Amendments

ARTICLE I

NAME AND LOCATION: The name of the Corporation is HOLLY LAKE ASSOCIATION, INC. hereinafter referred to as the "ASSOCIATION". The principal office of the corporation shall be located at 21740 N.W. 7 Street, Pembroke Pines, FL 33029. Meetings of the Members and Directors will be held in the recreation hall located at the office address.

ARTICLE II

Section 1. "ASSOCIATION" shall mean and refer to HOLLY LAKE ASSOCIATION, INC., a non-profit Florida Corporation, it's successors and assigns.

Section 2. "Property" shall mean and refer to that certain real property described as HOLLY LAKE MOBILE HOME PARK, Pembroke Pines, Florida and such additions thereto as may hereafter be brought within the jurisdiction of the ASSOCIATION.

Section 3. "Recreational Areas" shall mean all real property hereinafter acquired by the ASSOCIATION for the common use and enjoyment of the members of the ASSOCIATION including the area as hereinafter defined and specifically excluding the Lots as such term is hereinafter defined.

Section 4. "Lot" shall mean and refer to designated plots of land within the Property described as HOLLY LAKE MOBILE HOME PARK, Pembroke Pines, Florida conveyed or to conveyed to an "Owner" upon which there has been constructed or will be constructed a mobile home.

Section 5. "Mobile Home" shall mean and refer to the single family dwelling constructed upon a Lot.

Section 6. "Member" shall mean and refer to every person or entity who holds Membership in the Association.

Section 7. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Property bu excluding those having such interest merely as security for the performance of any obligations.

Section 8. "Declaration" shall mean and refer to HOLLY LAKES Declaration of Covenants, Restrictions, Limitations, Conditions, Charges and Uses together with those exhibits which are attached thereto and made part thereof and shall include such amendments, if any, as may be adopted from time to time pursuant to the terms thereof.

Section 9. "Articles of Incorporation" shall mean and refer to the Charter of HOLLY LAKE ASSOCIATION, INC., all exhibits which are attached thereto and made a part thereof, and shall include such amendments, if any, as may be adopted from time to time pursuant to the terms thereof.

Section 10. "By-Laws" shall mean and refer to the within instrument.

### ARTICLE III

Section 1. Membership. Every person who is a record owner of the fee or undivided fee interest in any Lot which is subject to the Declaration shall be a Member of the ASSOCIATION. The foregoing is not intended to include persons who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot. Ownership of such Lot shall be the sole qualification for membership. No corporation, partnership or similar entity shall be permitted to own a Lot. In addition, no owner shall have more than one membership, regardless of how many lots are owned.

Section 2. Suspension of Membership. During any period in which a Member shall be in default in payment of any monthly maintenance fee, or special assessment levied by the ASSOCIATION, the voting rights, and eligibility to run for office of such Member shall be suspended by the Board of Directors. Suspension shall remain in effect for a period of three (3) working days after the default in payment has been satisfied. Such rights of Member may also be suspended, after notice and hearing, for a period not to exceed one hundred eighty (180) days for violation of the rules and regulations established by the Board and Members governing the use of the Recreational Areas and facilities.

Section 3. Voting Rights. There shall be one class of membership. Members shall be all those Owners as defined in paragraph Fifth of the Articles of Incorporation. Members shall be entitled to one vote for each Member in which they hold the interest required for membership by said paragraph Fifth. When more than one person holds such interest in any

Lot, all such persons shall be Members. Voting is limited to a maximum of 2 votes per house.

#### ARTICLE IV PROPERTY RIGHTS OF ENJOYMENT

Each member shall be entitled to the use and enjoyment of the Recreational Areas and facilities as provided in the Declaration. Any Member may delegate his rights of enjoyment to the Recreational Areas and facilities to the members of his family, guests, tenants or contract purchasers, who reside on the property. The rights and privileges of such delegates are subject to suspension to the same extent as those of the Member.

#### ARTICLE V BOARD OF DIRECTIONS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of five (5) Directors who are members of the Association.

Section 2. Election. Directors shall be elected at the Annual Meeting of Members. At each Annual Meeting five (5) Directors shall be elected and they shall serve until the next annual meeting or until their successors are elected or until removed in accordance with the Articles of Incorporation or these BY-LAWS. No two members of the same family, either related by blood or marriage, may serve on the Board of Directors during a term of office.

Section 3. Resignation and Removal. Any Director may resign at any time. Such resignation must be in writing and presented to the board. Such resignation shall take effect on the date of receipt of such resignation or at any later date specified therein, and the acceptance of such resignation shall not be necessary to make it effective. Any Director who resigns from the Board is prohibited from running for a position on the Board at the two annual elections following his or her resignation. Any director may be removed from the Board, with or without cause, by a majority vote of all the Members of the Association as provided in Florida Statutes Section 720.303(10). In the event of death, resignation or removal of the Director, the vacancy may be filled by the affirmative vote of a majority of the remaining directors and shall serve the unexpired term of his predecessor.

Section 4. Compensation. No Director shall receive compensation for

any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties, after submitting a receipt for and receiving approval from the financial committee.

Section 5. Action taken without a meeting. The Directors shall have the right to take only those actions which are designated as their duties and as defined in these By-Laws.

## ARTICLE VI MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly at a date, time and place as determined from time to time by the Board of Directors, with posted notice at the clubhouse.

Section 2. Special Meetings. Special Meeting of the Board of Directors shall be held when called by the President of the Association, or by any two Directors after not less than three (3) days notice to each Director.

Section 3. Quorum. A majority of the number of the Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

## ARTICLE VII NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors shall be made at the full membership meeting in November from the floor. Each nominee will run for one specific office on the Board. There shall be as many nominations for election to the Board of Directors as there are vacancies that are to be filled. The Treasurer shall provide any information regarding delinquent accounts to the Board of Directors. The nominees must be announced at the November meeting. Nominees will be required to be active by having attended a minimum of two (2) General Meetings during the current year and be a deed owner of Holly Lake for no less than one (1) year.

Section 2. Election. Election to the Board of Directors shall be by secret ballot, limited proxy, or absentee ballot. At such election the votes

of the Members or their limited proxy and absentee ballots may be cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provision of the Declaration. The voting shall proceed in the following manner:

1st – President

2nd – Vice President

3rd – Treasurer

4th – Recording Secretary

5th – Corresponding Secretary

Each office shall be voted by separate ballot and the person receiving the highest number of votes declared elected to the office for which he/she ran, after those ballots are counted. After each election to specific office, nomination for the next office shall be permissible. All new Officers shall be sworn in by the Management Company at the Transitional Meeting between the outgoing and incoming Board of Directors to be held the first week of January after the Annual December Election, to allow the outgoing Board to complete the social projects for the year.

In case of a tie vote for any office on the Board of Directors, a Special Election Meeting for that office only shall be held within one month of the Annual Meeting. The same procedures used for the Annual Election Meeting will be followed. The Quorum shall be the same as the Annual Election. Special Election notice, nominees names and absentee ballots shall be mailed to all homeowners and posting of a Special Election Notice.

All sealed limited proxies and absentee ballots shall be held by the Management Company and may be opened and voter names checked for eligibility, before witnesses, one hour prior to the formal opening at the Annual Meeting.

All limited proxies and absentee ballots must be received by Management by four (4) P.M. the day preceding the annual meeting.

No secret ballot at the annual meeting will be given out after the Chairperson has called for the First Vote.

ARTICLE VIII

## POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directions shall have the power:

To adopt and publish, from time to time, rules and regulations established by the Association, governing the use of the Recreational Areas and facilities, and personal conduct of the Members and their guests thereon and to enforce penalties established by the Association for the infraction thereof;

To exercise for the Association all powers, duties and authority vested in or delegated to this Association not reserved to the membership by other provision of these BY-LAWS, the Articles of Incorporation, or the Declaration;

Must declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors or four (4) non-consecutive meetings of the Board of Directors and/or General Membership Meetings.

To employ independent contractors, all other employees as they deem necessary, and prescribed by their duties. Such action must be within budget.

Any assessment of members on a per lot basis must be voted on by a majority of the Members present at a Special Meeting called for that purpose.

All expenditures over \$1,000.00 must be voted on by the General Membership. In the case of an emergency expenditure, 24 hour posted notice shall be given of the Special Meeting. This does not include any expenditures required in the case of Code enforcement violation, where the Board of Directors would be negligent if same were not completed, regardless of cost.

No Board of Directors, Member of the Board of Directors or Member of the Association may initiate litigation in the name of Holly Lake Association, Inc., without approval of a majority of the Board of Directors,

as may be determined in its sole discretion from time to time.

Section 2. Duties. It shall be the duty of the Board of Directors:

To cause to be kept a complete record of all of its acts and corporate affairs and to present a statement thereof to the Members at all meetings of the Members;

To supervise all officers, agents and employees of this Association and to see that their duties are properly performed;

To diligently pursue the collection of maintenance on a monthly basis and use all legal processes required to collect the maintenance due. This shall be done on all accounts that are two (2) months behind in maintenance payments. They shall not let an account get any further behind before pursuing legal action.

## ARTICLE IX COMMITTEES

Section 1. The Board of Directors may appoint committees as deemed appropriate in carrying out its purpose.

Section 2. The following Committee is established and is permanent:

Political Action Committee

Section 3. It shall be the duty of each committee to receive complaints from the Members on any matter involving Association functions, duties and activities within its field of responsibility. It shall dispose of such complaints as it deems appropriate or refer them to such other committees, director or office of the Association as is concerned with the matter presented.

Section 4. Duties of the Committees. Committees as listed will have the following duties:

Political Action Committee

At least one member shall attend any Pembroke Pines Commission meeting and report to the General Membership any key issues.

Keep abreast of issues pertaining to County, State and School Board

Help get residents of HOLLY LAKE registered to vote  
Perform any other duties assigned by the Board with are pertinent to the Committee.

## ARTICLE X METTINGS OF MEMBERS

Section 1. Annual Meetings. The Annual Meeting of the Members shall be held in the month of December each year, at a date, time and place as determined by the Board of Directors. For the purpose of the election at the annual meeting, a Quorum of not less than five percent (5%) of the total eligible membership, present in person and/or by proxy or absentee ballot must be achieved. Quorum for general meetings and special meetings (unless otherwise stated in these BY-LAWS) will be as stated in Article X – Section 5.

Section 2. Special Meetings. Special Meetings of the Members may be called at any time by the President or by the Board of Directors, or upon written request of five (5) percent of all the eligible membership.

Section 3. Full Membership Meetings. Membership meeting other than the annual meeting, shall be held monthly.

Section 4. Notice of Meetings. Posted notice of each meeting of the Members shall be given by the Secretary or person authorized to call the meeting, three (3) days before such meeting. Such notice shall specify the place, day and hour of the meeting, and in the case of a Special Meeting, the purpose of the meeting.

Section 5. Quorum. A quorum at members' meeting will consist of five percent (5%) percent of the members.

Section 6. Order of Business. All meetings of the Association will be conducted in accordance with Robert's Rules of Order. The order of business at each meeting will be as follows:

- Roll call
- Reading and disposal of Board/Monthly Membership meetings minutes by the Recording Secretary
- Reading and disposal of Treasurer's Report by the Treasurer
- Reports of Officers
- Reports of unfinished business
- New business
- Open discussion



Election of officers/installation of officers when applicable  
Adjournment

Section 7. Absentee Ballots and Proxies. At all meetings of the Members, each Member may vote in person, by absentee ballot or by limited proxy. All absentee ballots or limited proxies shall be in writing and filed with the Management Company by four (4) P.M. the day preceding the voting. Every absentee ballot or limited proxy shall be revocable and shall automatically cease upon conveyance of the Member of his Lot. All absentee ballots or limited proxies shall automatically be cancelled after the action and date for which they were intended is complete. In any event, such absentee ballots and limited proxies shall automatically expire ninety (90) days after the date of the meeting for which they were originally given.

ARTICLE XI  
OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. The Officers of the Association shall be:

President  
Vice President  
Recording Secretary  
Corresponding Secretary  
Treasurer

Section 2. Installation of Officers. Elected Officers will be sworn in at the first meeting following the meeting in which they are elected.

Section 3. Term. The Officers shall be elected annually by the Membership and each shall hold office, at the discretion of the Board, until the next annual meeting or unless he/she shall resign, or shall be removed or otherwise disqualified.

Section 4. Resignation and Removal. Any Officer may be removed from office per Article V – Section 3, of these BY-LAWS for the removal of a Director. Any Officer may resign at any time. Such resignation must be in writing and presented to the Board. Such resignation shall take effect on the date of receipt of such resignation or at any later date specified therein, and the acceptance of such resignation shall not be necessary to make it effective. Any Director who resigns from the Board is prohibited from running for a position on the Board at the two annual elections following his or her resignation.

Section 5. Vacancies. A vacancy in any office shall be filled in an election at a special meeting of the Membership. The Officer elected to such vacancy shall serve the remainder of the term of the Officer he replaced.

Section 6. Multiple Offices. No person shall simultaneously hold more than one office.

Section 7. Duties. The duties of the Officers are as follows:

The President shall:

Preside at all Association meetings.

See that orders and resolution of the Board are carried out.

Sign all leases, mortgages, deeds and other written instruments.

Co-sign checks and promissory notes.

Must notify the Board if unable to attend a Board Meeting or General Membership Meeting.

Diligently pursue the collection of maintenance on a monthly basis.

The Vice President shall:

Act in the place and stead of the President in the event of his absence, inability or refusal to act.

Exercise and discharge such other duties as may be required of him by the Board.

Must notify the Board if unable to attend the Board Meeting or General Membership Meeting.

Diligently pursue the collection of maintenance on a monthly basis.

The Recording Secretary shall:

Record the votes.

Keep the minutes of all meetings of the Board and of the Members.

Keep the corporate seal and affix it on all corporate papers requiring said seal.

Perform such other duties as required by the Board.

Must notify the Board if unable to attend the Board Meetings or General Membership Meeting.

Diligently pursue the collection of maintenance on a monthly basis.

The Corresponding Secretary shall:

Serve notice of meetings of the Board and of the Members.

Keep appropriate current records showing the Members of the

Association.

Keep a current mailing list of all Members.

Perform such other duties as required by the Board.

Must notify the Board if unable to attend the Board Meetings of

General Membership Meeting.

Diligently pursue the collection of maintenance on a monthly basis.

The Treasurer shall be responsible for:

Furnish a corporate surety bond in a sum satisfactory to the Board for the faithful performance of the duties of his/her office and restoration to the Association of all books, papers, vouchers, money or other property of whatever kind in his possession or under his control, belonging to the Association. The Association will pay all premiums of said bond.

All receivables, deposits and appropriate accounts of the Association.

Disburse such funds as directed by resolution of the Board of Directors.

Co-sign checks and promissory notes of the Association.

All books are to be audited by a certified public accountant at the completion of each fiscal year.

Prepare an annual budget by October 1st and present it to the Budget and Finance Committee for approval or disapproval.

Prepare a statement of income and expenditures to be presented to the Membership at its regular annual meeting and deliver a copy of each to the Members.

Diligently endeavor to collect all money due the Association.

Must notify the Board if unable to attend the Board Meetings or General Membership Meeting.

Diligently pursue the collection of maintenance on a monthly basis and compile a list of residents requiring liens to be placed and forward to legal counsel.

## ARTICLE XII

### BOOKS AND RECORDS

The books, records and papers of the Association shall, at all times, during reasonable business hours, be subject to inspection by any Member. The Declarations, the Articles of Incorporation and the BY-LAWS of the Association shall be available for inspection by any Member at the principal office of the Association.

## ARTICLE XIII

### CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: HOLLY LAKE ASSOCIATION INC. – non-profit.

## ARTICLE XIV

### AMENDMENTS

Section 1. These BY-LAWS may be amended at a duly called meeting of the Members, by a vote of ten percent (10%) of the Members present or by notarized absentee ballot or limited proxy.

Section 2. In case of conflict between Articles of Incorporation and these BY-LAWS, the Articles shall control; and in case of any conflict between the Declaration and these BY-LAWS, the Declaration shall control; Florida State Statutes shall control all mentioned.

THE FOREGOING IS AN ATTORNEY-REVIEWED UNOFFICIAL COMPILATION of all Bylaws as of September 2017, prepared by the 2016 Documents Advisory Committee for the HOLLY LAKES ASSOCIATION Board of Directors. For any discrepancy, final authority are the Association's restated Bylaws at Broward Public Records Book 5921 on February 22, 2006 and the amendment to those restatements by Book 41537 on February 12, 2010.